

SEPTEMBER 23, 1999.

BY FACSIMILE  
BY EXPRESS MAIL

USEPA/OFFICE OF CIVIL RIGHTS  
ATTN: ANN E. GOODE, DIRECTOR  
401 M. Street, S.W.  
MC1201  
WASHINGTON, D.C. 20460

21R-99-R5

DEAR USEPA OFFICE OF CIVIL RIGHTS, DIR. ANN E GOODE, ET AL:

I, (b) (6) Privacy [REDACTED], am filing this allegation of violations of Title VI of the Civil Rights Act of 1964, as amended, and the EPA'S implementing regulations at 40 C.F.R. Part 7, (Nondiscrimination in Programs Receiving Assistance from the EPA), against the Michigan Department of Environmental Quality, (MDEQ), regarding the MDEQ's approval of two Part 625 Permits, (Mineral Wells), M-452 and M-453, issued to Environmental Disposal Systems, Inc., (EDS), for two Multisource Commercial Hazardous Waste Disposal Wells, EDS1-12 and EDS2-12, resp., on March 29, 1999. (see 2 copies, enclosure.)

I, (b) (6) Privacy [REDACTED], am concurrently filing this allegation of violations of Executive Order 12898, (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations), executed by President William Jefferson Clinton, on February 11, 1994, as amended January 30, 1995, against the Michigan Department of Environmental Quality, (MDEQ), regarding the MDEQ's approval of the same two Part 625 Permits, (Mineral Wells), M-452 and M-453, issued to Environmental Disposal Systems, Inc., (EDS), for the same two Multisource Commercial Hazardous Waste Disposal Wells, EDS1-12 and EDS2-12, resp., on March 29, 1999.

I, (b) (6) Privacy [REDACTED], hereby request that the EPA Office of Civil Rights, (EPA OCR), conduct a preliminary review of my Title VI

2.

Complaint, and accept my Title VI Complaint for investigation. If I, as Complainant, have any jurisdictional say about this matter, I WOULD PREFER THAT MY TITLE VI COMPLAINT NOT BE REFERRED, ESPECIALLY NOT TO THE MDEQ; however, if my Title VI Complaint must be referred, I WOULD PREFER THE REFEREE TO BE THE DEPARTMENT OF JUSTICE-CIVIL RIGHTS DIVISION, UNDER ACTING DIRECTOR, BILL LANN LEH. (However, by so stating my above wishes/preferences, I AM NOT WAIVING ANY OF MY RIGHTS, AS A TITLE VI COMPLAINANT.)

SIMPLY PUT, I WOULD PREFER AN INFORMAL RESOLUTION NOT BE SOUGHT, ESPECIALLY NOT UNDER THE AUSPICES/DIRECTION OF THE MDEQ, IF POSSIBLE. THANK YOU.

\* \* \* \* \*

THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY's approval of two Part 625 Permits, Mineral Wells), M-452 and M-453, RESULTED IN:

- A. THE PRIMARY DISCRIMINATION OF AFRICAN AMERICAN CITIZENS, (BLACK CITIZENS), LIVING IN THE CITY OF ROMULUS, MICHIGAN; AND THE PRIMARY DISCRIMINATION OF LOW(ER) INCOME CITIZENS, OF ALL RACES, LIVING IN THE CITY OF ROMULUS, MICHIGAN;
- B. THE SECONDARY DISCRIMINATION OF WHITE AMERICAN CITIZENS, AND ALL OTHER MINORITY CITIZENS, (NOT INCLUDED IN CATEGORY A. ABOVE), LIVING IN THE CITY OF ROMULUS, MICHIGAN;
- C. THE TERTIARY DISCRIMINATION OF ALL CITIZENS, (BLACK, WHITE, AND ALL OTHER MINORITY), LIVING IN THE COUNTY OF WAYNE, i.e. WAYNE COUNTY, MICHIGAN;
- D. DISCRIMINATION BY ASSOCIATION OF ALL CITIZENS, (BLACK, WHITE, AND ALL OTHER MINORITY), LIVING IN THE CITY OF TAYLOR, MICHIGAN;

3.

E. A "SEPARATE, BUT EQUAL" STATUS BEING AFFORDED TO ALL CITIZENS, (BLACK, WHITE, AND ALL OTHER MINORITY), LIVING IN ROMULUS, MICHIGAN, AND IN WAYNE COUNTY, MICHIGAN, BY THE MDEQ;

F. AN "ARBITRARY AND CAPRICIOUS" USE OF THE ISSUE OF "NEED," BY THE MDEQ, (DESIGNED TO SPEED UP EDS' PART 625 PERMIT PROCESS), WHILE DENYING CITIZENS, OF ALL RACES, THEIR DUE RIGHTS OF:

1. A FORMAL, (AND CUSTOMARY) WRITTEN RESPONSE TO COMMENTS, FROM THE MDEQ, TO ALL INTERESTED PARTIES IN THE PART 625 PERMIT PROCESS;

2. A FORMAL APPEAL PROCESS, FOR THE TWO PART 625 PERMITS.

\* \* \* \* \*

A. THE PRIMARY DISCRIMINATION OF AFRICAN AMERICAN CITIZENS, (BLACK CITIZENS), LIVING IN THE CITY OF ROMULUS, MICHIGAN; AND THE PRIMARY DISCRIMINATION OF LOW(ER) INCOME CITIZENS, OF ALL RACES, LIVING IN THE CITY OF ROMULUS, MICHIGAN:

A. 1. THE PRIMARY DISCRIMINATION IS THE INITIAL DISCRIMINATION, The City of Romulus, has a larger-than-average percentage of African American citizens; 21.84% according to the 1990 Census. (I don't have the economic statistics, but, I believe, (b) (6) Privacy

(b) (6), provided you, EPA OCR, with such statistics.)

P1  
If you, EPA OCR, look at the map I've enclosed, "S.E. MICH's TOXIC WASTE TRENDS," you can see that the City of Romulus has a much larger-than-average percentage of African American citizens, compared to other nearby cities in Wayne County, Michigan, INCLUDING, BUT NOT ALL (BORDER CITIES TO ROMULUS, MICHIGAN, WITH AFRICAN AMERICAN STATS:

WAYNE-7½%, WESTLAND-3%. TAYLOR-4%, HURON TOWNSHIP-(-1%),

BELLEVILLE-2%, VAN BUREN TOWNSHIP-8%. (All figures have been rounded off.)

4.

Also enclosed, is the 'summary Population and Housing Characteristics" for areas, including Wayne County, Michigan, from the 1990 Census, with percentages of black citizens calculated, and rounded off, for your review. There are 24 cities identified in Wayne County, Michigan.

WHILE THE MDEQ DID NOT CHOOSE THE "SITE," NOR THE OPERATION OF EDS' FACILITY/FACILITIES IN ROMULUS, MICHIGAN: BY APPROVAL OF THE TWO PART 625 PERMITS, M-452 and M-453, THE MDEQ FACILITATED THE RACIAL/ECONOMIC DISCRIMINATION CREATED BY THE "DISPARATE SITING," BY EDS, OF EDS' COMMERCIAL, TOXIC FACILITY/FACILITIES IN ROMULUS, MICHIGAN. (See GLOSSARY OF TERMS, FOR "DISPARATE SITING.")

WHEN EDS CHOSE THE "DISPARATE SITING," (i.e. ROMULUS, MICHIGAN, WITH ROMULUS' ATTENDANT LARGER-THAN-AVERAGE AFRICAN AMERICAN/ LOW(ER) INCOME POPULATIONS), AS A MEANS TO MAKING IT EASIER FOR EDS TO GET FINAL PERMITS FOR THE FACILITY/FACILITIES, (WHICH I BELIEVE IS THE CASE), THAT DISCRIMINATORY ACTION, BY EDS, WOULD BE "SUBJECTIVE DISCRIMINATION."

BUT, EDS CANNOT OPERATE ITS COMMERCIAL, TOXIC INJECTION WELLS WITHOUT THE MDEQ PART 625 PERMITS; SO, EDS CANNOT DISCRIMINATE WITHOUT THE MDEQ'S COMPLICITY!

THE GRANTING OF THE PART 625 PERMITS, BY THE MDEQ, WAS AN EXAMPLE OF "OBJECTIVE DISCRIMINATION," BY THE MDEQ, ON/AGAINST A CITY, (ROMULUS, MICHIGAN), WITH LARGER-THAN-AVERAGE POPULATIONS OF AFRICAN AMERICAN AND LOW(ER) INCOME INDIVIDUALS!

THE MDEQ PART 625 PERMITS ARE THE "CEMENT" THAT BINDS THE "DISPARATE SITING" OF EDS' WELLS, BY EDS, TO THE FINAL OPERATION OF EDS' WELLS, BY THE APPROVAL OF THE MDEQ!

(All that remains is the Part 111 Act 451 Permits; investigated

5.

by a Site Review Board-MOST MEMBERS PICKED BY GOV. JOHN ENGLER, AND FINALLY DECIDED BY MDEQ DIRECTOR, RUSSELL J. HARDING, THE SIGNIFICANCE OF WHICH I WILL GO INTO LATER.)

(NOTE: I HAVE COMBINED AFRICAN AMERICAN CITIZENS WITH LOW(ER) INCOME CITIZENS, IN SECTION A.1.; However, IF FOR THE PURPOSE OF DETERMINING ANY/ALL DISCRIMINATION YOU, EPA OCR, NEED TO SEPARATE THE TWO DIFFERENT GROUPS, PLEASE DO SO!)

A. 2. The MDEQ's Director, Russell J. Harding, has implied, THAT THE MDEQ WILL NOT TAKE DEMOGRAPHICS INTO CONSIDERATION, WHEN ISSUING MDEQ POLLUTION PERMITS! (See Detroit Free Press article, dated April 10, 1999, enclosed.)

TO NOT "...DIRECT REGULATORS TO CONSIDER DEMOGRAPHICS IN POLLUTION PERMIT DECISIONS IN MICHIGAN," IS ANOTHER EXAMPLE OF "OBJECTIVE DISCRIMINATION," BY THE MDEQ, BEING DECREED BY THE TOP ENVIRONMENTAL OFFICER IN MICHIGAN! (Emphasis added.)

STATED IN ABOVE ARTICLE: "Russell Harding, director of the (MDEQ)... six months ago convened a group of Michiganders representing industry, government and others to forge a state environmental justice policy. Many local leaders left the group when Harding said he did not expect to reach consensus on the plan but rather wanted to take all points into account. Those who stayed are close to finishing a draft document in a month or two that will be the subject of public hearings, Harding said. Guidelines suggesting better public notice procedures will be included. But the new policy likely ignores the activists urging and won't direct regulators to consider demographics in pollution permit decisions in Michigan." (Emphasis added.)

ALTHOUGH MR. HARDING'S "ANTI-DEMOGRAPHIC" SENTIMENTS ARE NOT CONTAINED IN QUOTATION MARKS, IN THAT ARTICLE; TO NOT CONSIDER DEMOGRAPHICS,

6.

ARE, IN FACT, MR. HARDING'S SENTIMENTS; AND THIS PREJUDICE, ON MR. HARDING'S PART, CAN BE CHECKED BY YOU, EPA OCR; AND SHOULD BE! DOES MR. HARDING THINK "BETTER PUBLIC NOTICE PROCEDURES" WILL CHANGE ANYTHING; DOES MR. HARDING THINK "BETTER PUBLIC NOTICE PROCEDURES" WILL CHANGE THE PRECEDENCE THAT COMMUNITIES OF COLOR, AND/OR LOW(ER) INCOME COMMUNITIES ARE DISPROPORTIONATELY IMPACTED BY MDEQ POLLUTION PERMITS GRANTED TO ASSORTED CORPORATIONS IN MICHIGAN?

IF MR. HARDING WANTS "BETTER PUBLIC NOTICE PROCEDURES" IN ORDER TO GET MORE "BODIES" AT PUBLIC HEARINGS, WHAT WILL THAT ACCOMPLISH? AND, SHOULDN'T THOSE "BODIES" BE ABLE TO COMPLAIN ABOUT BEING DEMOGRAPHICALLY DISCRIMINATED AGAINST; OR DOES MR. HARDING JUST WANT MORE BODIES, TO TAKE UP MORE SPACE, AT PUBLIC HEARINGS; WITH THE OUTCOME BEING THE SAME-i.e. DEMOGRAPHIC DISCRIMINATION? (See GLOSSARY OF TERMS, FOR "DEMOGRAPHIC DISCRIMINATION.")

MR. HARDING DID STATE, IN THE APRIL 10, 1999 DETROIT FREE PRESS ARTICLE, THIS:

"If there are disparate effects of pollution, I would be very surprised if they are due to racism," Harding said. "I think they have more to do with the way economic development occurred." (Emphasis added.)

SOME PEOPLE/AGENCIES THAT ARE DISCRIMINATING AGAINST SOMEONE/SOME GROUP OF PEOPLE DO NOT REALIZE THEY ARE DISCRIMINATING. I DON'T KNOW IF THIS IS TRUE IN THE MDEQ'S CASE, BUT, I DO KNOW THIS:

REGARDLESS OF WHETHER A CORPORATION (EDS) INITIATED THE DISCRIMINATION, OR A QUASI-GOVERNMENTAL GROUP, (SUCH AS THE MICHIGAN JOBS COMMISSION, MJC, OR THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION, MEDC), INITIATED THE DISCRIMINATION, FOR THE PURPOSE OF "DISPARATELY SITING" A TOXIC FACILITY, IN/NEAR A COMMUNITY WITH HIGH PERCENTAGES OF AFRICAN AMERICAN/LOW(ER) INCOME INDIVIDUALS; THESE WOULD BE EXAMPLES OF "SUBJECTIVE DISCRIMINATION." (NOTE: I DON'T BELIEVE THE MJC OR MEDC HAD ANYTHING TO DO WITH THE "DISPARATE SITING" OF EDS' WELLS;

7.

HOWEVER, THE MJC MAY HAVE HAD SOMETHING TO DO WITH THE "DISPARATE SITING" OF CENTRAL WAYNE ENERGY RECOVERY LIMITED PARTNERSHIP, CWERLP, A MUNICIPAL WASTE-TO-ENERGY FACILITY, IN DEARBORN HEIGHTS, MICHIGAN, NEAR INKSTER, MICHIGAN; I HAVE NEVER GOTTEN A WRITTEN STATEMENT FROM DOUGLAS ROTHWELL, PRESIDENT AND CEO OF MJC, NOW MEDC, ABOUT WHETHER THE MJC HAD ANYTHING TO DO WITH THE CWERLP SITING. AGAIN, ONLY IF THE MDEQ IGNORES DEMOGRAPHICS, AND ISSUES A POLLUTION PERMIT IN A RACIALLY/ECONOMICALLY "SENSITIVE" COMMUNITY, WILL "OBJECTIVE DISCRIMINATION" EXIST! NO PERMIT; NO DISCRIMINATION! IT IS THAT SIMPLE!

SO, I BELIEVE MR. HARDING IS WRONG. AT THE END OF THE DAY, IT DOES NOT MATTER "HOW ECONOMIC DEVELOPMENT OCCURRED." AS FAR AS RACIAL/ECONOMIC DISCRIMINATION GOES, THE RESPONSIBLE PARTY IS THE PARTY THAT GRANTED THE POLLUTION PERMIT(S)!

(I WILL HAVE MORE ON THE MJC, MEDC, LATER.)

ANY FURTHER MEMOS/DATA/DOCUMENTATION, BY THE MDEQ, REGARDING DEMOGRAPHICS-AND-POLLUTION-PERMITTING SHOULD BE LOOKED INTO BY YOU, EPA OCR; THE DETROIT FREE PRESS ARTICLE, DATED APRIL 10, 1999, STATED THAT MORE DATA WOULD BE FORTHCOMING, BY THE MDEQ, A FEW MONTHS AFTER APRIL 10, 1999, WHICH IS NOW PAST DUE! (And, I would appreciate any copies of such.)

A. 3. THE PRIMARY DISCRIMINATION OF AFRICAN AMERICAN/LOW(ER) INCOME CITIZENS, OF ROMULUS, MICHIGAN, BY THE MDEQ, STARTED BACK IN THE 1990-1991 TIME PERIOD; WHEN THE MDEQ WAS THE MDNR.

(Effective October 1, 1995, Gov. John Engler's Executive Order split the MDNR, into the MDNR, and MDEQ; the significance of which I will go into later.)

THERE IS A CONTINUOUS LINK OF MDNR/MDEQ EMPLOYEES GRANTING EDS PART 625 PERMITS, (MINERAL WELLS), FROM THE TIME EDS' PART 625 PERMIT,



8.

(MINERAL WELLS), WAS GRANTED, ON JULY 30, 1991 FOR EDS WELL 1-20, (IN THE WAHRMAN RD./NORTHLINE RD. LOCATION, IN ROMULUS); UNTIL EDS' TWO PART 625 PERMITS, (MINERAL WELLS), NO.'s M-452 AND M-453, WERE GRANTED IN MARCH 29, 1999, FOR EDS WELLS 1-12 AND 2-12, (IN THE CITRIN DR./I-94 LOCATION, IN ROMULUS)! (NOTE: MDNR PERMIT, JULY 30, 1991, NO. 009-914-882, WAS CHANGED TO NO. 376-914-882, ON 9-5-91. IN THE MARGINS OF THE PERMIT, (b) (6) Privacy FORMER MDNR, NOW EDS EMPLOYEE.)

(See the letter from (b) (6) Privacy, (Supervisor of Mineral Wells, in the 1990-1991 time period, and on, to former Romulus Community Development Director, Dennis N. Oakes, dated October 26, 1990, cc'd to "(b) (6) Privacy, DNR.," enclosed.) (See Original Resolution, No. 90-589, dated December 10, 1990.encl.) (See the MDNR INTEROFFICE COMMUNICATION from (b) (6) Privacy to (b) (6) Privacy (b) (6) Privacy, dated April 29, 1991, cc'd to Al Collins, DNR and "Tom Wellman, DNR.," enclosed.) (See the MDNR PERMIT, NO. 009-914-882, CHANGED TO NO. 376-914-882, dated July 30, 1991, enclosed.) (See Rescinding Resolution No. 91-389, dated August 26, 1991, encl.) (See the postcard NOTICE I received from the MDEQ Geological Survey Division, MDEQ-GSD, In 1996, stating "...Any questions, concerns or comments should be directed to Mr. Thomas N. Wellman...")

AND, MDNR EMPLOYEE (b) (6) Privacy, BECAME A PART-TIME PAID CONSULTANT

TO EDS, AFTER LEAVING THE MDNR, IN 1991, I BELIEVE: MDNR 's (b) (6) Privacy

(b) (6) Privacy, BECAME A PAID CONSULTANT TO EDS, AFTER LEAVING THE MDNR/MDEQ.

IN 1997! (See Company Profile of (b) (6) Privacy, enclosed: See the letter from Austin Marshall, V.P. EDS, dated June 17, 1997, enclosed.)

IN THE LETTER FROM (b) (6) Privacy TO FORMER COMMUNITY DEVELOPMENT

DIRECTOR, MR. DENNIS N. OAKES, DATED OCTOBER 26, 1990, THIS IS STATED: "...Waste disposal wells (Class 1) are not the most desirable of operations but they are necessary and can be operated safely with proper and timely inspection and other regulatory oversight and due diligence on the part of the operator to assure effective control over wastes as they are being transported and disposed down the well." (Emphasis added.)

(b) (6) Privacy SEEMS TO BE IMPLYING THAT CLASS 1 WASTE DISPOSAL WELLS

ARE UNSAFE IF OPERATED WITHOUT PROPER AND TIMELY INSPECTION, AND

WITHOUT PROPER REGULATORY OVERSIGHT; WHICH IS EXACTLY THE SITUATION

DESCRIBED IN THE APRIL 29, 1991 INTEROFFICE COMMUN-



9.

ICATIONS OF THE MDNR. THE LAST PARAGRAPH OF [REDACTED] LETTER STATES: "I hope that I have been able to provide you with some reassurance in this matter and if I can be of any additional assistance, please do not hesitate to contact me or (b) (6) Privacy of my staff at 517-334-6974"; (the same phone number as on the postcard/NOTICE, from 1996.) (Emphasis added.) AND, AGAIN NOTE THAT THE LETTER WAS "cc'd" to "(b) (6) Privacy", DNR." FINALLY, NOTE THAT I SENT AUSTIN MARSHALL A RESPONSE LETTER, TO HIS LETTER TO ME DATED JUNE 17, 1997. MY LETTER, DATED JUNE 19, 1997, INCLUDED A REFERENCE TO BOTH [REDACTED] LETTER, (OCTOBER 26, 1990), AND A REFERENCE TO THE MDNR INTER-OFFICE COMMUNICATION, (APRIL 29, 1991); SO IF EDS EVER DENIES KNOWING ABOUT EITHER, (LETTER OR I.O. COMMUNICATION), BECAUSE EMPLOYEES (b) (6) Privacy, OR (b) (6) Privacy NEVER TOLD EDS ABOUT THEM, IT IS ON THE RECORD THAT EDS' VICE PRESIDENT, AUSTIN MARSHALL, ABOUT WAS TOLD BOTH BY ME, IN LETTER FORM, ON JUNE 19, 1997. (See my letter, dated June 19, 1997, enclosed.)

A MEMBER OF THE GROUP I BELONG TO, "ROMULUS ENVIRONMENTALISTS CARE ABOUT PEOPLE," RECAP, INTERCEPTED THE ABOVE REFERENCED MDNR INTEROFFICE COMMUNICATION, DURING THE NORMAL COURSE OF A (BULK) FREEDOM OF INFORMATION ACT, FOIA, REQUEST, A FEW YEARS AGO. EVERYTHING IN THE EDS FILE WAS REQUESTED, I BELIEVE; AND DURING THE TIME PERIOD OF THAT RECAP (BULK) FOIA REQUEST, THERE WAS NO RESPONSE FROM (b) (6) Privacy TO (b) (6) Privacy I.O. MEMO, INCLUDED. THE MDNR INTEROFFICE COMMUNICATION, DATED APRIL 29, 1991 CONTAINS AT LEAST TWO DAMAGING STATEMENTS, BY THE MDNR, (NOW MDEQ) THAT SHOW DISCRIMINATORY INTENT TOWARDS CITIZENS OF ROMULUS, MICHIGAN!

A. 3.a. IN THE FIRST PARAGRAPH IT IS STATED: "

10.

"...Based on the potentially controversial nature of the application, a decision to go ahead with a field review was made and the questions at hand are:

1. Is this well, by nature of type and location, (Wayne County, Romulus Township), sufficiently controversial to warrant a relaxation of present policy relative to routine field inspections of mineral wells? (Emphasis added.)
2. Do we automatically call for a public hearing or wait for response to their (EDS') notice of intent? EPA will hold a public hearing regardless of our actions. (Emphasis added.)

NOTE THAT THE INTEROFFICE COMMUNICATION, ITSELF, NOTED THE LOCATION AS "Wayne County, Romulus Township!"

EPA OCR, JUST WHAT IS IT ABOUT WAYNE COUNTY, ROMULUS TOWNSHIP, THAT MAKES IT O.K. TO RELAX PRESENT POLICY RELATIVE TO ROUTINE FIELD INSPECTIONS OF MINERAL WELLS? EPA OCR, THE "...RELAXATION OF PRESENT POLICY RELATIVE TO ROUTINE FIELD INSPECTIONS OF MINERAL WELLS," DUE TO "LOCATION," IS ANOTHER EXAMPLE OF "OBJECTIVE DISCRIMINATION," BY THE MDNR, NOW MDEQ, AGAINST THE CITIZENS OF ROMULUS, MICHIGAN! (Emphasis added.)

AND, [REDACTED]'s REMARK THAT THE MDNR SHOULD "WAIT FOR (EDS') RESPONSE," COULD SHOW COMPLICITY BETWEEN EDS AND THE MDNR/MDEQ; HOWEVER, AS I STATED BEFORE, IF EDS WAS DISCRIMINATING AGAINST CITIZENS OF ROMULUS, THAT WAS "SUBJECTIVE," AND OF SECONDARY IMPORTANCE; IF THE MDNR/MDEQ WAS DISCRIMINATING AGAINST CITIZENS OF ROMULUS, (AND I BELIEVE THEY-MDNR, NOW MDEQ-<sup>ARE/</sup>WERE), THAT WAS "OBJECTIVE DISCRIMINATION," OF PRIMARY IMPORTANCE, BECAUSE EDS COULD NOT OPERATE WITHOUT THE MDNR/MDEQ PART 625 PERMIT(S)! INCIDENTALLY, THE EPA DID NOT HOLD A PUBLIC HEARING FOR THE UIC PERMIT, NO. M-163-1W-0006, THAT WAS GRANTED TO EDS, BY THE EPA, ON OCTOBER 27, 1991, AS [REDACTED] STATED THE EPA WOULD, ON THE INTEROFFICE COMMUNICATION!

11.

A. 3.a. (CONT.) IN THE FIRST PARAGRAPH IT IS ALSO STATED:

"We are rapidly approaching the time when we will have to clear Wicklund's (Pres./Own er, EDS) permit for his hazardous COMMERCIAL waste disposal well (USEPA is at approximately the same point). Based on the potentially/...." etc. (Emphasis added, except for the capitalization of COMMERCIAL, as on original).

LATER, UNDER 2. AS PREVIOUSLY QUOTED, "EPA will hold a public hearing regardless of our actions."

THE PROBLEM HERE, IS THAT IF THE MDNR, NOW MDEQ, WAS AT THE SAME POINT AS THE USEPA, i.e. BOTH THE MDNR AND USEPA WERE AT THE PRE-PUBLIC HEARING STAGE, WHY WAS MDNR's (b) (6) Privacy, READY TO

"CLEAR WICKLUND'S PERMIT FOR HIS HAZARDOUS COMMERCIAL WASTE DISPOSAL WELL?" DOESN'T THAT APPEAR TO MEAN THAT THE PUBLIC HEARING WOULD BE A MOOT POINT? WASN'T THIS A DONE DEAL?

WEREN'T THE <sup>TWO</sup> NEW PART 625 PERMITS, OVER WHICH THIS TITLE VI COMPLAINT IS ABOUT, ALSO TWO DONE DEALS; WITH (b) (6) AND (b) (6) Privacy

EMPLOYEES OF EDS, AS PAID CONSULTANTS, UNTIL VERY RECENTLY,  
(OR STILL EMPLOYED BY EDS)? (YOU, EPA OCR CAN CHECK ON THAT.)

DOES MR. HARDING THINK "BETTER PUBLIC NOTICE PROCEDURES" WOULD HAVE HELPED IN THE ABOVE CASE (FOR THE 1-20 EDS WELL)? MR.

(b) (6) Privacy WAS READY TO "CLEAR WICKLUND'S PERMIT" BEFORE THE PUBLIC HEARING EVEN HAD A CHANCE TO TAKE PLACE!

EPA OCR, REGARDING "LOCATION," "WAYNE COUNTY, ROMULUS TOWNSHIP," DOES THE MDEQ, (THEN MDNR), REALIZE THAT CITIES MADE UP OF AFRICAN AMERICAN (BLACK) INDIVIDUALS, AND CITIES WITH LOW(ER) INCOME POPULATIONS DO NOT USUALLY FIGHT POLLUTION PERMITS WITH LAWSUITS? INHERENTLY, LOW(ER) INCOME POPULATIONS WOULD NOT HAVE THE MEANS TO SUE; STUDIES SUCH AS THAT BY DR. BUNYAN BRYANT AND DR. ELAINE M. HOCKMAN, "Hazardous Waste and Spatial Relations According to Race

12.

and Income in the State of Michigan," INDICATE THAT IS THE CASE, I BELIEVE. EPA OCR, PLEASE GET A COPY OF DR. BRYANT'S AND DR. HOCKMAN'S STUDY, AS PART OF THE DETERMINATION OF THIS TITLE VI

COMPLAINT. (See Letter from the GUILD LAW CENTER, dated October 17, 1994, page 1, enclosed. GUILD LAW CENTER, 2915 Cadillac Tower, Detroit, MI 48226. Phone, 313-962-6540. Fax, 313-963-9185.)

A. 3.b. IN THE FIFTH PARAGRAPH, IT IS STATED:

"Personal Opinion: I think that this permit for a commercial disposal well will just be the first of many. Commercial disposal is a lucrative business and will become more so as the EPA push for Class V wells forces industry--large and small--to find a final resting place for much of its undesirable waste. Freedom of Information requests will certainly greatly increase as the public becomes aware of this trend, and IF WE CANNOT DEMONSTRATE THAT WE HAVE PERFORMED AT LEAST THE MINIMUM SECURITY CHECKS (surveillance of casing, sealing, and pressure testing), WE, (GSD and MDNR), WILL SUFFER SEVERE CRITICISM. THAT WE HAVE NEITHER THE FUNDS NOR THE PERSONNEL TO CARRY OUT THESE RESPONSIBILITIES IS, I AM AFRAID, AN ARGUMENT WHICH WILL BE LOST IN THE SUBSEQUENT ENVIRONMENTALIST RHETORIC." (Emphasis added.)

EPA OCR, NOTE THAT THE MDNR INTEROFFICE COMMUNICATION WAS DATED APRIL 29, 1991, APPROXIMATELY SIX MONTHS AFTER MR. (b) (6) Privacy's LETTER OF "REASSURANCE," WAS SENT TO ROMULUS COMMUNITY DEVELOPMENT DIRECTOR, DENNIS N. OAKES, ON OCTOBER 26, 1990!

EPA OCR, TRY COMBINING THE (b) (6) Privacy LETTER, WITH THE (b) (6) I.O. MEMO:

"...Waste disposal wells are not the most desirable of operations, but...can be operated safely with proper and timely inspection and other regulatory oversight, (b) (6) Privacy; BUT, "...We have neither the funds nor the personnel to carry out these responsibilities, (b) (6) Privacy. YET, THE MDNR GRANTED EDS THE PART 625 PERMIT THREE MONTHS LATER, ANYWAY, ON JULY 30, 1991! HOW COULD THE MDNR TREAT US, CITIZENS

13.

OF ROMULUS, MICHIGAN, IN THAT WAY; WITH OUR CITIZENS' COLLECTIVE SAFETY LESS IMPORTANT THAN A COMMERCIAL WELL OWNER/INVESTOR'S PROFITS; WITH OUR CITIZENS' COLLECTIVE SAFETY LESS IMPORTANT THAN THE MDNR's, NOW MDEQ's, NEED/HASTE TO FIND A BURIAL GROUND FOR WASTE, MUCH OF IT COMING FROM OTHER STATES, AND CANADA? (DON'T FORGET, ONE OF THE INVESTOR'S OF "REMUS JOINT VENTURE," IS A CANADIAN WASTE HAULER, HAROLD MARCUS LTD, OF/ONTARIO GEOLOGICAL DISPOSAL SYSTEMS, INC., OF ONTARIO, CANADA. See the letter from GEOLOGICAL DISPOSAL SYSTEMS INC. dated December 30, 1993.)

A. 3.c. REMEMBER BACK AT THE BEGINNING OF A. 3. I TOLD YOU, EPA OCR, THAT "...THERE IS A CONTINUOUS LINK OF MDNR/MDEQ EMPLOYEES GRANTING EDS PART 625 PERMITS, (MINERAL WELLS)?" THAT BRINGS US TO THOMAS WELLMAN; REMEMBER THAT INTEROFFICE COMMUNICATION, DATED APRIL 29, 1991, WAS "cc'd to Tom Wellman,DNR."

I SENT THOMAS WELLMAN FOUR LETTERS, REGARDING MY OBJECTIONS TO THE PART 625 PERMITS, (MINERAL WELLS), UNDER CONSIDERATION , BY THE MDEQ, DATED NOVEMBER 30, 1995, FEBRUARY 26, 1997, APRIL 7, 1997, AND MAY 1, 1997, ALL BY CERTIFIED MAIL, WITH RETURN RECEIPTS, (See four receipts, enclosed.)

(AND, REMEMBER, WE CITIZENS OF ROMULUS, MICHIGAN/INTERESTED PARTIES RECEIVED NO "RESPONSE TO COMMENTS," USUALLY DRAFTED BY THE MDEQ, AFTER THE TWO PART 625 PERMITS WERE GRANTED ON MARCH 29, 1999, BECAUSE OF THE LEGAL-MANEUVERING USED TO GRANT THESE PERMITS. THAT LEGAL-MANEUVERING WILL BE COVERED UNDER F."AN 'ARBITRARY AND CAPRICIOUS' USE OF THE ISSUE OF 'NEED,' BY THE MDEQ.")

(ALSO, WE CITIZENS/INTERESTED PARTIES DID RECEIVE A "RESPONSE TO COMMENTS," DRAFTED BY THE MDEQ, IN THE CWERLP PERMIT, AND DID RECEIVED A "RESPONSE TO COMMENTS," DRAFTED BY THE MDEQ, IN THE WAYNE DISPOSAL PERMITS AND LICENSE(S), See COVER PAGES OF BOTH "RESPONSES TO COMMENTS," ENCLOSED.)



14.

A. 3.c. (CONT.) IN MY LETTER TO THOMAS WELLMAN, DATED NOVEMBER 30, 1995, I WROTE ABOUT, AND ENCLOSED A COPY OF, THE MDNR INTER-OFFICE COMMUNICATION, DATED APRIL 29, 1991; AND, I RECEIVED NO RESPONSE FROM THOMAS WELLMAN.

WHEN I RECEIVED THE POSTCARD/NOTICE FROM THE MDEQ/THOMAS WELLMAN, ON DECEMBER 6, 1996, I BELIEVE, I CALLED DAVE DEMPSEY, POLICY DIRECTOR, FOR THE MICHIGAN ENVIRONMENTAL COUNCIL, MEC; AND MR. DEMPSEY WROTE A LETTER TO THE MDEQ/THOMAS WELLMAN, (See enclosed.) 12-20-96 Letter  
MR. DEMPSEY WROTE, "...The blending of mixed waste streams at a commercial as opposed to on-site underground injection facility poses special risks. Detailed permit conditions pertaining to management of the waste and especially rigorous oversight by the DEQ are required. Recent budget cuts in GSD staffing make the latter unlikely. Indeed, well before these cuts, ENR staff in 1991 noted the agency's lack of funding and personnel to conduct such oversight." IN OTHER WORDS, RECENT BUDGET CUTS, IN 1996, CREATED A SITUATION WHEREBY THE MDEQ HAD EVEN LESS FUNDING/PERSONNEL THAN THE MDNR HAD IN 1991! AND, I BELIEVE THIS "UNDER-FUNDED" SITUATION EXISTS TODAY, IN 1999! (EPA OCR, THE MEC IS AN EXCELLENT SOURCE OF ENVIRONMENTAL INFORMATION, IF YOU NEED IT!)

IN MY FEBRUARY 26, 1997 LETTER TO THOMAS WELLMAN, I WROTE ABOUT BEING DISTRAUGHT OVER THE FACT THAT "...MY LETTER OF NOVEMBER 30, 1995, TO ...MR. WELLMAN, AND CC'd TO RUSS HARDING, WAS NEVER EVEN ANSWERED BY ANYONE, INCLUDING HAL FITCH, (CHIEF OF GSD)!!!" YET, "...EDS used the letter from Hal Fitch, to (b) (6) Privacy, dated March 1, 1996, at the August 14, 1996 'community-wide meeting' AS AN EXHIBIT"; AND THAT "... (b) (6) Privacy is, or used to be, a member of DECAP!!!" FURTHER, I WROTE, "In my opinion, there is the POSSIBILTY that DECAP is ...a "mock," "astroturf" group; POSSIBLY formed by/or in conjunction with, EDS. In contrast to RECAP, DECAP

15.

has been vocal in favor of EDS operating its well(s)."

IN ADDITION, ACCORDING TO THE HERITAGE SUNDAY NEWSPAPER ARTICLE, DATED JANUARY 21, 1996 "... (Susan) Cislo is secretary of DECAP, Downriver Environmentalists Care About People"; AND SUSAN CISLO SIGNED THE COMMUNITY AGREEMENT, AS VICE PRESIDENT OF THE ENVIRONMENTAL CONCERNS ASSOCIATION, ECA, WITH AUSTIN MARSHALL, VICE PRESIDENT OF EDS, (AND RICK BUTKOWSKI, PRES. OF ECA) ON SEPTEMBER 16, 1996. THE ECA APPROVES OF EDS OPERATING ITS COMMERCIAL, TOXIC WELLS! (See Heritage Sunday article, dated 1-21-96, and ECA info, encl.) WAS THE LETTER FROM HAL FITCH, TO (b) (6) Privacy, DATED MARCH 1, 1996 PLANNED/TIMED TO BE USED BY EDS, AT THAT COMMUNITY-WIDE MEETING, AUGUST 14, 1996, BY THE MDEQ'S CHIEF OF GSD? LET'S TAKE A "SNAPSHOT" OF WHO WAS WHERE, ON MARCH 1, 1996.

(b) (6) Privacy WAS WORKING FOR EDS, HAVING LEFT THE MDNR.

SUE CISLO WAS A SECRETARY OF DECAP, PRESUMABLY? AND SIX MONTHS AFTER MARCH 1, 1996, BECAME THE VICE PRESIDENT OF ECA, ADVOCATING THE OPERATION OF EDS' WELLS.

I BELIEVE R. THOMAS SECALL WAS STILL WITH THE MDEQ: BUT WAS DESTINED TO LEAVE THE MDEQ, AND BEGAN WORKING FOR EDS IN JUNE 1997, A LITTLE OVER A YEAR LATER.

THOMAS WELLMAN RESPONDED TO MY LETTER, DATED FEBRUARY 26, 1997, WITH HIS OWN LETTER DATED MARCH 19, 1997, WHEREBY MR. WELLMAN STATES: (UNDER 8.) "...It seems unlikely that DECAP advocates EDS' proposed well since many of the form letters I received, requesting denial of the permit, were attached to membership applications for DECAP." YET, IT IS MY FIRM BELIEF THAT DECAP IS AN "ASTROTURF," (FAKE), GROUP; AND MR. WELLMAN DID NOT REALLY STATE WHETHER MR. FITCH HAD ANY DEALING WITH DECAP, IN HIS MARCH 19, 1997 LETTER, DID HE, EPA OCR? (See Mr. Wellman's Letter, dated March 19, 1997.)



16.

AS FAR AS FUNDING GOES, MR. WELLMAN STATES, UNDER 6., "...It (GSD) has SOUGHT to increase the number of inspections; Field staff are being DIRECTED to increase inspections of mineral wells and their facilities. Also a fee package is PROPOSED which will increase staffing levels for the mineral wells program." (Emphasis aided.)

THESE CPAITALIZED WORDS DENOTE AN "IF-COME" SITUATION!

THESE "IF-COME" INSPECTIONS AND FEE PACKAGES DO NOT PROTECT THE CITIZENS OF ROMULUS, MICHIGAN, AGAINST UNDER-FUNDED PERMIT MANDATES!

IN MY FEBRUARY 26, 1997 AND APRIL 7, 1997 LETTERS TO THOMAS WELLMAN, I WROTE ABOUT (WHAT I CALL) DOUGLAS WICKLUND's "DOWN-DIP" THEORY; THE FALSE CLAIM THAT MR. WICKLUND MADE TO THE CITIZENS/CITY COUNCIL OF ROMULUS, MICHIGAN AT THE DECEMBER 10, 1990 CITY COUNCIL MEETING, TRYING TO ENTICE ROMULUS CITIZENS TO ACCEPT EDS' COMMERCIAL, TOXIC WELL PROPOSAL. WICKLUND STATED: "...It's (toxic waste) not going to sit here in Romulus forever. It will eventually go down-dip towards the center of the basin, (Mt. Pleasant)."

ON MARCH 19, 1997, MR. WELLMAN RESPONDED THAT "...Your (sic) assertion that the injected fluids will migrate down dip to the center of the basin...is incorrect." THE DOWN-DIP "ASSERTION," WAS NOT MY ASSERTION; THE DOWN-DIP ASSERTION WAS/IS? DOUGLAS WICKLUND's "ASSERTION!" WAS THE MDEQ's MR. WELLMAN, TRYING TO "PROTECT" EDS, BY PINNING THE "ASSERTION" ON ME? I CLEARLY STATED, IN BOTH OF THE ABOVE LETTERS, THAT MR. WICKLUND WAS THE "DOWN-DIP THEORIST!" IS THIS ANOTHER EXAMPLE OF THE MDNR/MDEQ "SYMPATHIZING," TO THE POINT OF (PART 625) PERMITTING?

"SYMPATHY," 1.a. A relationship between persons or things in which whatever affects one correspondingly affects the other.  
b. Mutual understanding or affection. (American Heritage Dictionary.)

17.

EPA OCR, WAS THERE A "MUTUAL UNDERSTANDING" BETWEEN EDS AND THE MDEQ'S THOMAS WELLMAN AND HAROLD FITCH-CHIEF OF GSD, AND FORMER MDNR EMPLOYEE, [REDACTED] ON MARCH 19, 1997? WAS THERE A "RELATIONSHIP," BETWEEN EDS, AND THE MDEQ, AND A FORMER MDNR EMPLOYEE, WHEREBY "WHATEVER AFFECTS ONE CORRESPONDINGLY AFFECTS THE OTHER," ON MARCH 19, 1997? (THE WORD "CORRESPONDINGLY" IS ESPECIALLY APPROPRIATE, WITH MDNR/MDEQ EMPLOYEES ON BOTH SIDES OF EDS' SPECTRUM!)

I BELIEVE THERE WAS, AND IS, A "MUTUAL UNDERSTANDING," AND "RELATIONSHIP," BETWEEN THE MDNR/MDEQ/EDS THAT ENDS IN A DISCRIMINATORY EFFECT TOWARDS THE CITIZENS OF ROMULUS, MICHIGAN!  
I BELIEVE THERE WAS, AND IS, "OBJECTIVE/SUBJECTIVE DISCRIMINATION," RESP., GOING ON HERE, IN ROMULUS, MICHIGAN!

IN MY APRIL 7, 1997 LETTER, TO THOMAS WELLMAN, I REFER TO "...THE ROMULUS NEWS' 2-17-95 paid ad by EDS." THIS IS WHERE EDS' SECOND FALSE CLAIM CAN BE FOUND! IN THE FEBRUARY 17, 1995 ROMULUS NEWS ARTICLE, DOUGLAS F. WICKLUND, STATED: "...The Well is in and it can't be moved. We are not leaving Romulus because we can't. WE'RE STUCK HERE FOREVER." THE CAPITALIZED WORDS, ARE THE UNTRUE WORDS: AND ARE INDICATIVE OF EDS' PERSISTENCE OF TARGETING ROMULUS, BY "DISPARATELY SITING" ANOTHER COMMERCIAL, TOXIC WELL FACILITY, IN ROMULUS, MICHIGAN! WHILE THE FIRST WELL "CAN'T BE MOVED," EDS IS NOT "STUCK HERE FOREVER!" (AND, WHAT A DEMEANING STATEMENT THAT IS! IN WHAT OTHER CITY COULD EDS GET AWAY WITH MAKING SUCH A PATRONIZING STATEMENT IN A PAID AD?"WITH SUCH A STATEMENT, I BELIEVE EDS IS DISPLAYING CONTEMPT FOR ROMULUS' CITIZENS! EDS IS HERE, AT THE SECOND WELL LOCATION, (CITRIN DR./I-94), BECAUSE OF EDS' OWN CHOOSING; BECAUSE THE "DEMOGRAPHICS" IN ROMULUS, MICHIGAN , PROTECT EDS AGAINST A LAWSUIT FROM PRIVATE CITIZENS; BECAUSE OF THE HISTORICAL/COZY RELATIONSHIP EDS HAD/HAS WITH CERTAIN STAT

18.

REGULATORS; BECAUSE ROMULUS, MICHIGAN, IS NEAR ONTARIO, CANADA, AND THE AMBASSADOR BRIDGE! (See February 17, 1995 ROMULUS NEWS article, enclosed.)

IN MY MAY 1, 1997 LETTER TO THOMAS WELLMAN, MY LAST OBJECTION, NO. 17, WAS ABOUT "RACIAL DISCRIMINATION!" IN MY LAST PARAGRAPH, I STATE: "...If you, DEQ, grant EDS their permit(s), I will file ANOTHER TITLE VI COMPLAINT, ON THE BASIS OF RACIAL DISCRIMINATION AGAINST BOTH BLACK AND WHITE RESIDENTS BECAUSE:

1. We live in Wayne County, (Michigan),
2. We live near a city with the largest, for the area, black population, INKSTER, (MICHIGAN), AND ARE BEING TARGETED BECAUSE OF IT! BUILSEYE!!! (REFERRING TO MY S.E. MICH's TOXIC WASTE TRENDS MAP.)
- \*FYI 3. ADDED, NOW: We live in a city with a larger-than-average African American/Low(er) Income Population, for the area, Romulus, Michigan, AND ARE BEING TARGETED BECAUSE OF THAT!
- \*FYI 4. ADDED, NOW: After studying the MDNR INTEROFFICE COMMUNICATION, DATED APRIL 29, 1991, I believe we have PROOF that the MDNR/MDEQ HAS, AND IS, ACTING "OBJECTIVELY DISCRIMINATORY" TOWARDS US!

I STATED THAT: "...I have 180 days after you grant the permit(s) to file the (Title VI) Complaint with the EPA (OCR)! And, I will!!!!!!!!!" AGAIN, EVEN THOUGH WE CITIZENS/INTERESTED PARTIES DID NOT GET A "RESPONSE TO COMMENTS," DRAFTED BY THE MDEQ, WITH ITS USUAL PERFUNCTORY STATEMENT ABOUT ENVIRONMENTAL JUSTICE, I WILL PARAPHRASE, FROM THE CWERLP ENVIRONMENTAL JUSTICE "RESPONSE TO COMMENTS," AND APPLY AN APPROXIMATION FOR THE PART 625 PERMITS, FOR THE EDS WELLS: PARAPHRASE: "THE (GEOLOGICAL SURVEY DIVISION) ENDEAVORS TO PROTECT THE HEALTH AND WELFARE OF ALL ITS CITIZENS OF THE STATE OF MICHIGAN EQUALLY!" (Emphasis added; Paraphrased from the CWERLP "RESPONSE TO COMMENTS," BY THE MDEQ-AIR QUALITY DIVISION, dated October 30, 1997; page 35.) EPA OCR, I WANT YOU TO KNOW THAT I FEEL THAT I HAVE BEEN DENIED MY CIVIL RIGHTS, BY THE MDEQ, BECAUSE OF THE OMISSION OF THE "RESPONSE TO COMMENTS," FOR THE PART 625 PERMIT APPROVALS! I COULD MAKE A BETTER "SEPARATE, BUT EQUAL" CASE, AGAINST THE MDEQ,

IF I HAD ALL THE INFORMATION THE MDEQ IS USUALLY REQUIRED, BY STATE LAW, TO SUPPLY, i.e. THE "RESPONSE TO COMMENTS," FOR THE PART 625 PERMIT APPROVALS, FOR PERMITS NO.'s M-452 AND M-453; INCLUDING A RESPONSE TO MY COMMENT, NO. 17, ABOUT RACIAL DISCRIMINATION! I WANT TO LEAVE SECTION A., WITH THESE PARTING THOUGHTS: APPARENT ASPECTS OF THE MDNR INTEROFFICE COMMUNICATION, DATED APRIL 29, 1991, WERE/ARE:

1. THAT THE MDNR, NOW MDEQ, WAS TOYING WITH THE IDEA THAT THEY COULD LOWER, ALREADY MINIMUM STANDARDS, FOR THE FIRST COMMERCIAL, CLASS 1, HAZARDOUS/NONHAZARDOUS TOXIC WASTE INJECTION WELL IN MICHIGAN, BECAUSE THE "LOCATION," OF THAT "TYPE" OF WELL, WAS "WAYNE COUNTY, ROMULUS TOWNSHIP." I BELIEVE EVEN SUCH A CONSIDERATION IS AN EXAMPLE OF "OBJECTIVE DISCRIMINATION," AND CONTRARY TO MICHIGAN/FEDERAL LAW!
2. THAT THE MDNR, NOW THE MDEQ, HAD PROBABLY ALREADY PLANNED TO GIVE EDS ITS PART 625 PERMIT(S), EVEN BEFORE THE PUBLIC HEARING HAD TAKEN PLACE; AND, IN FACT, THERE WAS NO PUBLIC HEARING FOR THE PART 625 PERMIT GRANTED ON JULY 30, 1991, (CONTRARY TO STATE LAW)!
3. THAT THE MDNR, NOW THE MDEQ, CAVALIERLY STATED THAT THROUGH THE FREEDOM OF INFORMATION ACT REQUESTS, CITIZENS WOULD FIND OUT ABOUT PERMITS BEING GRANTED, WITHOUT ADEQUATE REGULATORY OVERSIGHT BEING EMPLOYED: YET, THE MDNR, NOW MDEQ, WAS NOT WORRIED ABOUT LAWSUITS BEING FILED AGAINST THEM; BECAUSE OF THE "DEMOGRAPHICS" IN ROMULUS, JUST HARMLESS "ENVIRONMENTALIST RHETORIC" WAS TO ENSUE!  
WHAT THE MDNR, AND THE MDEQ, DIDN'T REALIZE THAT HARMLESS "ENVIRONMENTALIST RHETORIC," IS NOT SO HARMLESS, IF DIRECTED TO THE EPA OCR!  
 EPA OCR, PLEASE REMEMBER WHAT I HAVE STATED ABOUT EDS, REGARDING EDS' FALSE CLAIMS, AND "SUBJECTIVE DISCRIMINATION," (WHETHER INTENTIONAL OR UNINTENTIONAL), WHEN ADJUDICATING THIS TITLE VI COMPLAINT!  
I WOULD REQUEST THAT EDS NEVER OPERATES ITS WELLS IN ROMULUS, MICHIGAN!

20.

B. THE SECONDARY DISCRIMINATION OF WHITE AMERICAN CITIZENS, AND ALL OTHER MINORITY CITIZENS, (NOT INCLUDED IN CATEGORY A. ABOVE), IN THE CITY OF ROMULUS, MICHIGAN.

NOTE: I AM NOT REFERRING TO "REVERSE DISCRIMINATION"; I AM ACTUALLY REFERRING TO THE "REVERSE," OF "REVERSE DISCRIMINATION!" SECONDARY DISCRIMINATION IS DISCRIMINATION DERIVED FROM THE INITIAL/ ORIGINAL DISCRIMINATION.

I THINK OF WHITE DISCRIMINATION, IN THE ENVIRONMENTAL JUSTICE CONTEXT, AS "ASSIMILATED DISCRIMINATION"; "ABSORBED DISCRIMINATION"; "DISCRIMINATION BY OSMOSIS/OSMOTIC DISCRIMINATION!"

EPA OCR, TAKE YOUR PICK!

EVEN THOUGH THESE NAMES FOR DISCRIMINATION SOUND UNUSUAL/DIFFERENT; I BELIEVE THE NAMES ARE A SELF-EXPLANATORY EXAMPLE OF WHAT I MEAN. I, AS A WHITE CITIZEN, REALLY DO FEEL THAT I HAVE BEEN A VICTIM OF DISCRIMINATION, HERE IN ROMULUS, MICHIGAN, WITH THE PERMITTING OF THE TWO PART 625 PERMITS, (MINERAL WELLS), M-452 and M-453; FOR THE OPERATION OF EDS WELLS, 1-12 and 2-12!

IN SECONDARY DISCRIMINATION, THE DISCRIMINATION HAS TO "GO THROUGH" THE BLACK CITIZENS; HAS TO "GO THROUGH" THE <sup>AMERICAN</sup> AFRICAN COMMUNITY; BEFORE "SETTLING" ON THE WHOLE COMMUNITY; BEFORE "SETTLING" ON ALL OF THE CITIZENS OF THE COMMUNITY-BLACK, WHITE, AND ALL OTHER MINORITY!

AGAIN, AS I STATED IN CATEGORY A., THE CITY OF ROMULUS HAS A LARGER-THAN-AVERAGE PERCENTAGE OF AFRICAN AMERICAN CITIZENS; 21.84%, ACCORDING TO THE 1990 CENSUS. THOSE STATISTICS MEAN THAT THERE ARE 78.16% WHITE, AND OTHER MINORITY, CITIZENS LIVING IN THE CITY OF ROMULUS, MICHIGAN.

AS THESE CENSUS FIGURES SUGGEST, NO CITY IS 100% AFRICAN AMERICAN,

BLACK. IT STANDS TO REASON, THAT IF A CITY, (ROMULUS, MICHIGAN), IS TARGETED FOR A TOXIC WASTE FACILITY, (EDS/"DISPARATE SITING"), BECAUSE OF THE LARGER-THAN-AVERAGE AFRICAN AMERICAN COMPOSITION OF THAT CITY, ("SUBJECTIVE DISCRIMINATION"), AND THEN A POLLUTION PERMIT IS GRANTED BECAUSE STATE REGULATORS DO NOT CONSIDER DEMOGRAPHICS IN THEIR DECISION, ("OBJECTIVE DISCRIMINATION"); ALL CITIZENS LIVING IN THAT CITY, (ROMULUS, MICHIGAN), END UP BECOMING THE VICTIMS OF THAT "RACIAL DISCRIMINATION; EVEN THOUGH THE PRIMARY/INITIAL "RACIAL DISCRIMINATION" WAS DIRECTED TOWARDS, THE AFRICAN AMERICAN COMPOSITION OF THAT CITY! (SEE GLOSSARY OF TERMS FOR AFRICAN AMERICAN COMPOSITION.)

AS I STATED IN MY MAY 1, 1997 LETTER TO THOMAS WELLMAN, IN MY LAST SENTENCE, "...If you, DEQ, GRANT EDS their permit(s), I will file ANOTHER TITLE VI COMPLAINT, ON THE BASIS OF RACIAL DISCRIMINATION AGAINST BOTH BLACK AND WHITE RESIDENTS!"

(I FILED A TITLE VI COMPLAINT, RE: THE EDS WAHRMAN RD./NORTHLINE RD. SITE; BUT FILED WAY PAST THE 180 DAY DUE DATE.)

\* \* \* \* \*

P.S. (TO ABOVE) IN THE NAME OF ECONOMIC DEVELOPMENT, HOW ARE WE EVER GOING TO GET BLACK CITIZENS AND WHITE CITIZENS WILLING TO LIVE TOGETHER, IN THE SAME CITIES: WHEN, IF THEY DO, (AS IN ROMULUS, MICHIGAN'S CASE), THE AFRICAN AMERICAN COMPOSITION OF THE CITY, ATTRACTS TOXIC FACILITIES, (THROUGH NO FAULT OF THEIR OWN), AND POLLUTION-PERMIT? THE END RESULT IS THAT BOTH BLACK AND WHITE CITIZENS END UP BEING DISCRIMINATED AGAINST!

RIGHT NOW, IN S.E. MICHIGAN, ESPECIALLY IN WAYNE COUNTY, MICHIGAN, THERE IS MDEQ POLLUTION PERMIT "SEGREGATION" GOING ON; i.e. THE POLLUTION-PERMIT-RECEIVING TOXIC FACILITIES ARE GROUPED TOGETHER IN CERTAIN CITIES, USUALLY THOSE CITIES THAT HAVE LARGER-THAN-AVERAGE AFRICAN AMERICAN/LOW(ER) INCOME CITIZENS RESIDING IN THEM!

22.

THIS HAS COME ABOUT BECAUSE STATE REGULATORS DO NOT CONSIDER  
 "DEMOGRAPHICS" IN THE POLLUTION PERMIT PROCESS!

AS I STATED IN CATEGORY A., PAGE 4,, IN THE EDS CASE, "...WHILE  
 THE MDEQ DID NOT CHOOSE THE "SITE," NOR THE OPERATION OF  
 EDS' FACILITY/FACILITIES IN ROMULUS, MICHIGAN; BY APPROVAL OF THE  
 TWO PART 625 PERMITS, M-452 and M-453, THE MDEQ FACILITATED THE  
RACIAL/ECONOMIC DISCRIMINATION CREATED BY THE "DISPARATE SITING,"  
BY EDS, OF EDS' COMMERCIAL, TOXIC FACILITY/FACILITIES IN ROMULUS,  
MICHIGAN." AND, FURTHER DOWN ON THE PAGE: "THE MDEQ PART 625  
PERMITS ARE THE "CEMENT" THAT BINDS THE "DISPARATE SITING" OF EDS'  
WELLS, BY EDS, TO THE FINAL OPERATION OF EDS' WELLS, BY THE APPRO-  
VAL OF THE MDEQ!" AND, ON PAGE 7, "...NO PERMIT; NO DISCRIM-  
INATION! IT IS THAT SIMPLE!"

UNLESS POLLUTION PERMIT REGULATORS, (STATE) ARE FORCED TO "INTE-  
GRATE THE POLLUTION PERMIT PROCESS," i.e. UNLESS POLLUTION PERMIT  
 REGULATORS ARE FORCED TO CONSIDER "DEMOGRAPHICS" IN THE POLLUTION  
 PERMIT PROCESS, THIS "FACIAL DISCRIMINATION," "ASSIMILATED DISCRIM-  
 INATION," "ABSORBED DISCRIMINATION," OR "OSMOTIC DISCRIMINATION,"  
WILL NEVER STOP!!!!!!!!!! AND, THAT IS THAT SIMPLE!

MR. HARDING'S SO-CALLED "SOLUTIONS?" OF "BETTER PUBLIC HEARING  
 NOTICES," ARE HOLLOW WORDS, AND WILL NOT ACCOMPLISH/CHANGE A THING!

I KNOW THESE ARE "RADICAL" CHANGES, I AM PROPOSING BUT WE'RE  
\*\*\*\*\*  
TALKING ABOUT "ILLEGAL RACIAL DISCRIMINATION," HERE; BASED ON THE  
\*\*\*\*\*  
CIVIL RIGHTS ACT OF 1964; AND BASED ON PRESIDENT CLINTON'S EXECUTIVE  
\*\*\*\*\*  
ORDER, 12898!  
\*\*\*\*\*

AND, SINCE I BELIEVE THIS, ("OBJECTIVE DISCRIMINATION," BY THE MDEQ)  
 IS "ILLEGAL," I AM NOT PROPOSING ANY "AFFIRMATIVE-ACTION-TYPE FIXES,"  
 HERE; i.e. I AM NOT PROPOSING TO MAKE RACE OR ECONOMICS COUNT AS



23.

A (SINGLE) FACTOR, AMONG MANY FACTORS, TO BE USED BY THE MDEQ WHEN MAKING POLLUTION PERMIT DECISIONS; I AM PROPOSING TO MAKE THE RACE-AND-ECONOMIC FACTOR, COUNT AS A SINGLE FACTOR; COUNT AS THE "DISPOSITIVE FACTOR"; COUNT AS THE "MAKE-OR-BREAK FACTOR"; TO BE USED BY THE MDEQ, WHEN MAKING POLLUTION PERMIT DECISIONS, IN MICHIGAN!

THIS IS NOT AN AFFIRMATIVE ACTION TYPE PROBLEM; THIS IS AN ILLEGAL RACIAL DISCRIMINATION PROBLEM; ONLY WHEN THE MDEQ STARTS "KILLING" POLLUTION PERMITS, WITH THE RACE-AND-ECONOMIC FACTOR, BEING THE "DISPOSITIVE FACTOR"; WILL CORPORATE BUSINESSMAN START LOOKING ELSEWHERE TO "SITE," (AND NOT "DISPARATELY SITE"), THEIR TOXIC, FACILITIES IN MICHIGAN!

I BELIEVE ANY OTHER REMEDIES, SUCH AS "BETTER PUBLIC NOTICE PROCEDURES," OR ANYTHING ELSE SHORT OF DEMOGRAPHIC CONSIDERATION, WILL AMOUNT TO JUST WINDOW DRESSING!

IF WE CITIZENS NEED THE DEPARTMENT OF JUSTICE-CIVIL RIGHTS DIVISION, TO FORCE THE INTEGRATION OF THE POLLUTION PERMIT PROCESS, LET'S CALL THEM IN! IF WE NEED PRESIDENT CLINTON TO CALL THE NATIONAL GUARD IN, TO FORCE THE INTEGRATION OF THE POLLUTION PERMIT PROCESS, LET'S CALL THEM IN!

AFTER THE SUPREME COURT LANDMARK DECISION, "BROWN VS. THE BOARD OF EDUCATION," IN 1954, OVERTURNED THE RACIAL SEGREGATION OF PUBLIC SCHOOLS, MANY SCHOOLS HAD TO CALL THE NATIONAL GUARD IN, TO FORCE INTEGRATION OF THE SCHOOLS! THERE REALLY IS NOT MUCH DIFFERENCE. HERE!

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24.

C. THE TERTIARY DISCRIMINATION OF ALL CITIZENS, (BLACK, WHITE AND ALL OTHER MINORITY), LIVING IN THE COUNTY OF WAYNE, I.e. WAYNE COUNTY, MICHIGAN.

NOTE: FOR EASE OF EXPLANATION, I HAVE LISTED ALL RACIAL GROUPS TOGETHER; HOWEVER, IF YOU, EPA OCR, NEED TO SEPARATE AFRICAN AMERICAN STATS, FROM THE REST OF THE GROUP, IN ORDER TO DETERMINE/PROVE "RACIAL DISCRIMINATION," PLEASE DO SO: AND THAT GOES FOR THIS WHOLE TITLE VI COMPLAINT.

THE MDEQ'S APPROVAL OF TWO, PART 625, (MINERAL WELLS, M-452 AND M-453, RESULTED IN THE TERTIARY DISCRIMINATION RESTED ON ALL RESIDENTS OF WAYNE COUNTY, MICHIGAN, WHO WILL BEAR A DISPROPORTIONATE SHARE OF ALL TOXIC PERMITS, AND ALL CONSENT AGREEMENTS, ISSUED WITHIN AN APPROXIMATE TWO-AND-A-HALF YEAR TIME PERIOD. THESE PERMITS ARE OF VARIED TYPES; THESE PERMITS ARE WHAT THE U.S. EPA REGION 5 DRAFT INTERIM EJ GUIDELINES CALLS MULTI-MEDIA PERMITS. I HAVE ALSO INCLUDED CONSENT AGREEMENTS, FOR TWO REASONS: EDS' TWO PART 625 PERMITS WERE APPROVED DURING A CONSENT AGREEMENT; MUCH TO CITIZENS GREAT LOSS, AS WE CITIZENS/INTERESTED PARTIES LOST OUR RIGHT TO APPEAL THE PART 625 PERMITS; AND WE CITIZENS/INTERESTED PARTIES LOST OUR RIGHTS TO RECEIVE A "RESPONSE TO COMMENTS," DRAFTED BY THE MDEQ. SINCE CONSENT AGREEMENTS HAPPEN USUALLY BECAUSE A TOXIC FACILITY CANNOT LIVE UP TO ITS PERMIT CONDITIONS, AND CAUSE EXCESS POLLUTION, (I BELIEVE), CONSENT AGREEMENTS SHOULD ALSO BE INCORPORATED INTO REGION 5'S DRAFT EJ INTERIM GUIDELINES! EPA OCR, WHEN YOU READ THIS LIST OF TOXIC PERMITS, (AND I MAY NOT KNOW ABOUT ALL OF THEM), SEE IF YOU AGREE WITH ME THAT WE ALL WILL BEAR A DISPROPORTIONATE SHARE OF TOXIC PERMITS/ TOXIC FACILITIES, HERE, IN WAYNE COUNTY, MICHIGAN.

25.

	NAME OF FACILITY	CONSENT AGREEMENT	TYOE OF PERMIT	DATE OF PERMIT	CITY OR TOWNSHIP
1.	WAYNE DISPOSAL	NO	RCRA	APRIL 1997	BELLEVILLE
	WAYNE DISPOSAL	NO	TSCA	APRIL 1997	BELLEVILLE
	WAYNE DISPOSAL (PCB) LANDFILL ABOVE	NO	OP. LIC. PART111 ACT 451	APRIL 1997	BELLEVILLE
2.	QWERLP WASTE-TO-ENERGY INCINERATOR ABOVE	NO	PSD190-95	DECEMBER 29, 1997	DEARBORN HEIGHTS
3.	EDS	NO	UIC/EPA	APRIL 24, 1998	ROMULUS
	EDS	NO	UIC/EPA	APRIL 24, 1998	ROMULUS
	EDS	YES	PART 625	MARCH 29, 1999	ROMULUS
	EDS	YES	PART 625	MARCH 29, 1999	ROMULUS
	TOXIC WELL/ABOVE				
4.	CITY MEDICAL WASTE SER. INC./MED. WASTE INCIN. ABOVE	YES	TO INSTALL 973-91A	PENDING	HAMTRAMCK

\*AND WE, IN ROMULUS, MICHIGAN, HAVE THE EVER PRESENT DETROIT METROPOLITAN AIRPORT TO CONTEND WITH, CONTRIBUTING TO THE NET POLLUTION!

EPA OCR , THE SOUTHERN END OF THE I-275 CORRIDOR, AND THE WESTERN I-94 CORRIDOR, (BOTH REFERRED TO IN WAYNE COUNTY), SEEM TO HAVE BECOME A MAGNET FOR TOXIC WASTE PRODUCERS/STORERS(WITH HAULERS)!

OF COURSE, THE STORERS I AM REFERRING TO ARE EDS, WITH ITS TWO WELL LOCATIONS, ONE JUST OFF I-275, AND THE OTHER JUST OFF I-94, (AND ALSO NEAR THE RAILROAD TRACKS). WAYNE DISPOSAL, INC. IS ALSO JUST OFF I-94/N. SERVICE DR., STORING PCB'S AND OTHER HAZARDS.

AT THE VERY NORTHERN END OF I-275, IN OAKLAND COUNTY, THE AREA IS KNOWN AS "AUTOMATION ALLEY." I HAVE READ NUMEROUS DETROIT FREE PRESS ARTICLES, (AND I HAVE MANY OF THEM), ABOUT HOW OAKLAND COUNTY'S EXECUTIVE, L. BROOKS PATTERSON, AND OAKLAND COUNTY'S (FORMER) COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR, JEFF KACZMAREK, (NOW WITH THE MEDC), HAVE TOUTED THEIR "AUTOMATION ALLEY." YET, I CAN'T HELP BUT WONDER, IF THE MJC, WHICH IS NOW THE MEDC, HAVE THE POWER, AND THE INFLUENCE, WITH GOV. JOHN ENGLER TO MANDATE

26.

WHAT FACILITIES, GO WHERE, ALL OVER THE STATE, AND INCLUDING IN WAYNE COUNTY, MICHIGAN! I KNOW THAT THE MJC (USED TO) LOBBY IN OTHER STATES, TO BRING ECONOMIC INTERESTS INTO THE STATE, (WHICH MADE ME SUSPICIOUS ABOUT ANY PART THE MJC MAY HAVE PLAYED WITH THE CWERLP FACILITY, SINCE I RECEIVED NO WRITTEN DENIAL FROM DOUG ROTHWELL THAT THE MJC/MSF-MICHIGAN STRATEGIC FUND DID NOT); I BELIEVE "TRAVEL MICHIGAN," AN OFFSHOOT OF THE MJC DEALS WITH TRAVEL DESTINATIONS IN MICHIGAN. IS IT SO FAR FETCHED FOR ME TO WONDER IF THE MJC, NOW MEDC, HAS DESIGNATED WAYNE COUNTY AS "TOXIC WASTE ALLEY?" EPA OCR, DON'T FORGET OUR, ROMULUS', COMMUNITY DEVELOPMENT DIRECTOR, DENNIS N. OAKES, GOT THE "REASSURANCE" LETTER, FROM (b) (6) Privacy IN 1990, AND NOW WE ARE "STUCK" WITH A TOXIC WASTE WELL, THAT THE MDNR/ MDEQ DOESN'T HAVE THE FUNDING TO OVERSEE PROPERLY! AGAIN, IS IT SO FAR FETCHED FOR ME TO WONDER IF THE MEDC IS DESIGNATING THAT "HIGH TECH" FACILITIES WILL GO TO "AUTOMATION ALLEY"; AND, TO KEEP A LITTLE DISTANCE FROM THE "HIGH TECH AREAS," THAT TOXIC WASTE SHOULD GO TO "TOXIC WASTE ALLEY?" AGAIN, THIS WOULD/COULD BE MORE EXAMPLES OF "SUBJECTIVE DISCRIMINATION!" NOT KNOWING BETTER, I MADE A FOIA REQUEST OF GOV. JOHN ENGLER LAST YEAR, ASKING FOR THE "BLUEPRINTS" FANTUS CONSULTING, IN WASHINGTON D.C., DID FOR THE MJC A FEW TIMES. (See enclosed FOIA letter to Gov. John Engler, dated August 31, 1998. And, See The Detroit News, newspaper article, dated May 25, 1997, an enclosure of that FOIA Request.)

THIS ARTICLE STATES: "Many of Engler's initiatives came from a blueprint developed by Fantus Consulting of Washington, D.C. Four years ago, the Michigan Jobs Commission hired Fantus for initial consulting. (FOUR YEARS AGO, WAS IN 1993.) In 1995,

27.

Fantus did a follow-up study. The price tag was a total of nearly \$94,000.00 for the two projects. Fantus' 1995 study found that the state was implementing many of its recommended programs."

EPA OCR, I REALLY THINK YOU OUGHT TO LOOK AT THIS. THE MEDC WORKS VERY CLOSELY WITH GOV. JOHN ENGLER; AND I BELIEVE, GOV.

JOHN ENGLER IS BEHIND ALL OF THIS TOXIC PERMITTING GOING ON IN WAYNE COUNTY; NOT TO MENTION I BELIEVE GOV. JOHN ENGLER IS

OR EXPANDED  
BEHIND ALL THE LANDFILLS BEING BUILT IN WAYNE COUNTY: AND

POSSIBLY WITH ALL THE SOLID WASTE CONTRACTS BETWEEN CANADIAN GARBAGE HAULERS AND LANDFILLS IN WAYNE COUNTY.

BUT, THE MOST IMPORTANT REASON YOU SHOULD GET A COPY OF FANTUS'

"BLUEPRINT," IS BECAUSE THE ORIGINAL DATE OF THE FIRST STUDY, IN 1993, IS VERY CLOSE TO THE TIME WHEN GOV. JOHN ENGLER BECAME

ACTIVE IN THE BROWNFIELD REDEVELOPMENT PROGRAM. SINCE THAT

ARTICLE STATES, "...Many of Engler's initiatives came from (THE

1995 BLUEPRINT)...;" DID FANTUS INVENT THE BROWNFIELD REDEVELOP-

MENT PROGRAM? AND, EVEN MORE IMPORTANTLY, WAS THE BROWNFIELD

REDEVELOPMENT PROGRAM INVENTED AS A MEANS TO THWART ENVIRONMENTAL

JUSTICE POLICIES, AND COMPLAINTS? ONCE A CITY IS TARGETED WITH

A TOXIC FACILITY, AS IN ROMULUS' CASE, THE BROWNFIELD REDEVELOPMENT

PROGRAM GUARANTEES THAT FUTURE TOXIC PERMITS, WILL BE FOREVER

"GRANDFATHERED" IN! AND, WITH ENVIRONMENTAL JUSTICE OBSOLETE;

IF IT EVEN EVER EXISTED! MY CONCERNS ABOUT THE BROWNFIELD RE-

DEVELOPMENT PROGRAM, HAMPERING ENVIRONMENTAL JUSTICE COMPLAINTS,

TITLE VI COMPLAINTS, IS THE REASON I MADE THE FOIA TO GOV. JOHN

ENGLER! EPA OCR, PLEASE GET A COPY OF ALL OF FANTUS' STUDIES

REFERRED TO, IN THAT ARTICLE! (And, I would like a copy, please.)

\* \* \* \* \*

28.

D. DISCRIMINATION BY ASSOCIATION OF ALL CITIZENS, (BLACK, WHITE, AND ALL OTHER MINORITY), LIVING IN THE CITY OF TAYLOR, MICHIGAN. BESIDES WE CITIZENS IN ROMULUS, ALL PERSONS LIVING IN TAYLOR, MICHIGAN, (BLACK, WHITE, AND ALL OTHER MINORITY), WILL AFFECTED BY EXTRANEIOUS FACTORS, INVOLVING THE EDS WELLS, SUCH AS: INCREASED TRUCK TRAFFIC, INCREASED RAIL TRAFFIC, EXPOSURE TO TRUCK AND RAIL ACCIDENTS, AND OTHER CONCERNS NOT LIMITED TO THESE, BECAUSE THEY LIVE ON THE BORDERLINE OF ROMULUS/EDS WELLS!

IF "OBJECTIVE DISCRIMINATION," BY THE MDEQ, EXISTS AT THE PRIMARY LEVEL, (AND SECONDARY, TERTIARY LEVELS), THEN THAT ALSO APPLIES TO CITIZENS IN TAYLOR, MICHIGAN, WHO SHARE A BORDER WITH ROMULUS, MICHIGAN, BY ASSOCIATION. THERE HAVE BEEN MANY RAIL ACCIDENTS IN MICHIGAN LATELY; MUCH MORE THAN NORMAL! IF WE ARE VICTIMS OF "OBJECTIVE DISCRIMINATION," BY THE MDEQ, WHY SHOULD WE TAKE SUCH RISKS, IN ROMULUS, AND TAYLOR, MICHIGAN?

IT IS MY CONTENTION THAT EDS LOCATED WELL NO.s 1-12 AND 2-12 NEAR THE ROMULUS/TAYLOR BORDERS, (AMONG THE OTHER REASONS I HAVE ALREADY CITED), IN ORDER TO COMBINE THE DEMOGRAPHICS OF ROMULUS AND TAYLOR, MICHIGAN. AS SUCH:

ROMULUS BLACK POPULATIONS	22%
TAYLOR BLACK POPULATIONS	4%
TOTAL	26%
AVERAGE, (DIVIDE BY 2)	13%

AND, BY ADDING EVEN MORE CITIES POTENTIALLY IMPACTED, THE PERCENTAGE CAN BE LOWERED MORE, IN ORDER TO "DILUTE" DEMOGRAPHICS! REMEMBER MY MAP, "S.E. MICH's TOXIC WASTE TRENDS; AND THE 1990 CENSUS INFO. YOU WOULD HAVE TO DRAW A CIRCLE, FROM THE MIDDLE POINT OF EDS' WELLS, TO INKSTER, MICHIGAN, IN ORDER TO GET MINORITY NUMBERS/PERCENTAGES TO INCREASE! UNTIL YOU GOT TO INKSTER, MICHIGAN, NUMBERS/PERCENTAGES WOULD DECREASE! EPA OCR, PLEASE DO NOT ALLOW DEMOGRAPHIC INFORMATION TO BE "DILUTED!"

29.

E. A "SEPARATE, BUT EQUAL" STATUS BEING AFFORDED TO ALL CITIZENS, (BLACK, WHITE, AND ALL OTHER MINORITY), LIVING IN ROMULUS, MICHIGAN, AND IN WAYNE COUNTY, MICHIGAN, BY THE MDEQ.

I HAVE A FEW COPIES OF THE MDEQ'S "RESPONSE TO COMMENTS," FOR A FEW VARIOUS TOXIC FACILITIES. THE MDEQ HAS A STANDARD, PAT. ANSWER FOR THE ENVIRONMENTAL JUSTICE QUESTION:

CITY MEDICAL WASTE SERVICES, INC., JULY 14, 1999 AND AUGUST 25, 1999;

RESP.: PAGE 3. 12. "The Department of Environmental Quality protects the health and welfare of all citizens equally."

BOTH RESPONSES ARE THE SAME, AND BOTH ARE ON PAGE's 3.

(See enclosed.)

CWERLP, OCTOBER 30, 1997: PAGE 35, "The Air Quality Division endeavors to protect the health and welfare of all citizens of the State of Michigan equally..."(PLUS A SHORT PARAGRAPH\_\_)

SINCE I WAS NEVER GIVEN A COPY OF A "RESPONSE TO COMMENTS," FROM THE MDEQ, FOR THE EDS' PART 625 PERMITS, M-452 AND M-453, BECAUSE NONE WAS ISSUED, EVEN THOUGH I SENT FOUR CERTIFIED LETTERS TO THOMAS WELLMAN, I PARAPHRASED A SIMILAR STATEMENT, ON MY OWN, PREVIOUSLY, IN THIS TITLE VI COMPLAINT! SEE PAGE 18.

BUT, MY POINT IS THIS: I HAVE ALREADY STATED, IN CATEGORY B. SECONDARY DISCRIMINATION, THAT: "RIGHT NOW, IN S.E. MICHIGAN, ESPECIALLY IN WAYNE COUNTY, MICHIGAN THERE IS MDEQ POLLUTION  
-PERMIT-  
PERMIT "SEGREGATION" GOING ON, i.e. THE POLLUTION-RECEIVING-TOXIC FACILITIES ARE GROUPED TOGETHER IN CERTAIN CITIES, USUALLY THOSE CITIES THAT HAVE LARGER-THAN-AVERAGE AFRICAN AMERICAN/LOW(ER) INCOME CITIZENS RESIDING IN THEM!" (PAGE 21.)

AND, "THIS HAS COME ABOUT BECAUSE STATE REGULATORS DO NOT CONSIDER "DEMOGRAPHICS," IN THE POLLUTION PERMIT PROCESS!" (PAGE 22.)



AND, "...ONLY WHEN THE MDEQ STARTS "KILLING" POLLUTION PERMITS, WITH THE RACE-AND-ECONOMIC FACTOR, BEING THE "DISPOSITIVE FACTOR"; WILL CORPORATE BUSINESSMEN START LOOKING ELSEWHERE TO "SITE," AND NOT "DISPARATELY SITE", THEIR TOXIC FACILITIES IN MICHIGAN!" (PAGE 23.) I DON'T THINK THE DIRECTOR OF THE MDEQ, RUSSELL J. HARDING WILL BE WILLING TO CONSIDER DEMOGRAPHICS, IN POLLUTION PERMIT DECISIONS! INSTEAD, MR. HARDING WILL MOST LIKELY MAKE VERY MINOR CHANGES; WILL KEEP OVERSEEING THE GRANTING OF POLLUTION PERMITS. AND, CITIZENS WILL READ MORE PERFUNCTORY STATEMENTS ABOUT HOW THE MDEQ PROTECTS THE HEALTH AND WELFARE OF ALL CITIZENS, OF THE STATE OF MICHIGAN, EQUALLY!

THIS "SEPARATE, BUT EQUAL" TREATMENT OF CITIZENS, BY THE MDEQ, REMINDS ME OF THE SITUATION OF BLACK SCHOOLCHILDREN HAVING TO PUT UP WITH SEGREGATED SCHOOLS, IN THE 1950's; BLACK, (AND WHITE), CITIZENS IN ROMULUS, MICHIGAN AND WAYNE COUNTY, MICHIGAN, ARE HAVING TO PUT UP WITH THE SEGREGATED POLLUTION PERMIT PROCESSES, OF THE MDEQ, IN THE 1990's!

IN THE FAMOUS "SEPARATE, BUT EQUAL" CASE, (1950's, ABOVE), REGARDING AFRICAN AMERICAN SCHOOLCHILDREN, IN 1954, THE U.S. SUPREME COURT OUTLAWED "SEPARATE, BUT EQUAL," IN THE LANDMARK CASE OF "BROWN VS. THE BOARD OF EDUCATION," AND FORCED THE INTEGRATION OF PUBLIC SCHOOLS, I BELIEVE.

I BELIEVE YOU, EPA OCR, HAVE THE POWER TO ORDER/FORCE THE MDEQ TO CEASE AND DESIST ITS "OBJECTIVELY DISCRIMINATORY" PRACTICES; AND TO ORDER/FORCE A CHANGE IN MDEQ POLLUTION PERMIT POLICIES AND PRACTICES, TO ALLOW THE MDEQ THE IMMEDIATE INSTALLATION OF CONSIDERATION OF DEMOGRAPHICS, IN ITS POLLUTION PERMIT POLICY.

I KNOW RUSSELL J. HARDING AND GOV. JOHN ENGLER HOLD "HOSTILE" FEELINGS FOR THE EPA; ~~ANY~~ I HAVE THE NEWSPAPER ARTICLES TO PROVE IT!

31.

(See Detroit Free Press article, dated February 4, 1997, "Engler Asks Governors to Fight EPA's Power.")

PLUS, I HAVE MANY MORE NEWSPAPER ARTICLES THAT DEMONSTRATE ANTI-EPA SENTIMENT IN MICHIGAN, IF YOU WANT TO SEE THEM!

I ALSO KNOW THAT RUSSELL J. HARDING HOLDS "CONTEMPT" FOR CITIZENS THAT CARE ABOUT THEIR STATE'S ENVIRONMENT! IN THE DETROIT FREE PRESS ARTICLE, APRIL 7, 1997, HARDING IS QUOTED, AS SAYING, "...Confronting the environmental lobby with sound science is akin to waving a crucifix at a vampire. Both shield their eyes and run screaming into the night," he wrote (see Monday's letters to the editor)." (See Detroit Free Press article, dated April 7, 1997.)

I HAD THE ORIGINAL LETTER TO THE EDITOR, BUT I COULD NOT FIND IT; BUT I DO REMEMBER READING IT, AT THE TIME.

I BELIEVE RUSSELL J. HARDING AND GOV. JOHN ENGLER, (AND THE MEDC), ALL WANT TO PRESERVE THE PRO-CORPORATE STATUS QUO; THEY DON'T WANT MEANINGFUL CHANGES, I DON'T BELIEVE.

HOW ARE WE CITIZENS, IN ROMULUS, MICHIGAN AND WAYNE COUNTY, MICHIGAN GOING TO GET A FAIR SHAKE, IN THE ATMOSPHERE DEMONSTRATED ABOVE? FOR YOUR FURTHER UNDERSTANDING OF THE ATMOSPHERE HERE, IN MICHIGAN, I HAVE ALSO INCLUDED A FEW ARTICLES ABOUT THE SPLITTING OF THE MDNR, INTO THE MDNR, AND MDEQ, BY GOV. JOHN ENGLER, IN 1995.

YOU CAN READ IT FOR YOURSELF, AND DRAW YOUR OWN CONCLUSIONS.

I BELIEVE IT IS IMPORTANT FOR YOU, EPA OCR, TO UNDERSTAND THE ATMOSPHERE, CREATED BY OUR REGULATORS AND OFFICIALS, IN MICHIGAN, WHEN DEALING WITH THE POLLUTION PERMIT PROBLEM!

ONCE I GET THIS LETTER OUT, I WILL SCOUT AROUND MY COLLECTION OF ARTICLES FOR ANY THAT MIGHT BE USEFUL TO YOU.

\* \* \* \* \*

32.

F. AN "ARBITRARY AND CAPRICIOUS" USE OF THE ISSUE OF "NEED," BY THE MDEQ, (DESIGNED TO SPEED UP EDS' PART 625 PERMIT PROCESS), WHILE DENYING CITIZENS OF ALL RACES, THEIR DUE RIGHTS...." THE MDEQ IS LEGALLY SUPPOSED TO BE "IMPARTIAL" DURING THE PERMITTING PROCESS, TO SPEED UP THE PART 625 PERMIT PROCESS, WOULD SHOW A BIAS IN FAVOR OF EDS, I BELIEVE.

THE MDEQ HAS PREVIOUSLY TRIED TO SPEED UP EDS' PART 111 ACT 451 PERMIT PROCESS, BY ALLOWING EDS AN "ILLEGAL SUSPENSION OF REVIEW," AND I WROTE MDEQ DIRECTOR, RUSSELL J. HARDING A LETTER, BECAUSE OF THE "ILLEGAL SUSPENSION OF REVIEW," DATED JANUARY 27, 1998. IN THAT LETTER, I STATE: "IN A LETTER FROM THE MDEQ-WMD (WASTE MANAGEMENT DIVISION), DATED NOVEMBER 3, 1997, STEVEN R. SLIVER WRITES TO EDS "...ALTERNATIVELY, EDS COULD ASK THE MDEQ TO SUSPEND THE REVIEW TIMETABLE UNDER SECTION 11119 OF ACT 451 TO ALLOW EDS TO REVISE THE APPLICATION AND RESOLVE THE OTHER ENVIRONMENTAL PERMITS." SO, I WROTE: "UPON VIEWING SECTION 11119 OF ACT 451, THERE EXISTS NO SUCH "SUSPENSION OF REVIEW." WAS THIS "SUSPENSION OF REVIEW" "ILLEGAL?" DISCRIMINATORY? EPA OCR, YOU FIGURE IT OUT!

IN ORDER FOR ME TO UNDERSTAND HOW THE PART 625 PERMIT PROCESS BECAME ROUTED THROUGH THE CIRCUIT COURT/ADMINISTRATIVE LAW JUDGE, RICHARD LACASSE, I MADE A FOIA REQUEST, TO HAL FITCH, CHIEF OF GSD, AFTER TALKING TO HIM, ON THE PHONE. I WANTED A COPY OF THE CERTIFIED/INDEX OF THE ENTIRE ADMINISTRATIVE RECORD, FOR THE EDS 1-12 AND 2-12 WELLS, PART 625 PERMITS. THAT FOIA REQUEST WAS DENIED, BY HAL FITCH, FOR THIS REASON, ON MAY 18, 1999: <sup>HOW/</sup> "The public record does not exist..." EPA OCR, WHERE DOES THE MDEQ-GSD KEEP THE RECORDS FOR THE PART 625 PERMITS? IN A GIANT SHOE BOX? I NEEDED THIS RECORD TO MAKE A GOOD TITLE VI COMPLAINT!

33.

SO, I DON'T HAVE A "RESPONSE TO COMMENTS"; I DON'T HAVE THE CERTIFIED/INDEX OF THE ENTIRE ADMINISTRATIVE RECORD, FOR THE PART 625 PERMITS; IT SEEMS TO ME THAT THE MDEQ-GSD IS TRYING TO THWART MY ATTEMPTS TO MAKE THIS TITLE VI COMPLAINT; THE ONLY AVENUE TO STOP EDS' PROJECT LEFT! ( I DON'T HOLD MUCH HOPE FOR THE SITE REVIEW BOARD.)

WHEN I SPOKE TO HAL FITCH, ON THE PHONE, HE TOLD ME, IF I WANTED TO MAKE A COMPLAINT, THE TIME TO DO IT WAS WHEN THE MDEQ-GSD DENIED EDS' PART 625 PERMITS, BASED ON "NEED!" BUT, AS I EXPLAINED TO HIM, WHY WOULD I MAKE A COMPLAINT WHEN EDS WAS BEING "DENIED?" I HAVE A LETTER FROM STEVEN R. SLIVER, WHERE MR. SLIVER MAKES A STATEMENT ON THE MDEQ'S BASIS OF "NEED," BUT I CAN'T SEEM TO LOCATE IT, TODAY. HOWEVER, WHEN I FIND IT, (SOON), I WILL SEND IT. BASICALLY, I THINK THIS WENT ON: EDS WAS DENIED ITS PART 625 PERMITS, BASED ON THE ISSUE OF "NEED," BY THE MDEQ. OFCOURSE, EDS APPEALED IN CIRCUIT COURT, IN LANSING; AND WE ENDED UP HAVING A CONSENT ORDER/AGREEMENT SETTLE THE ISSUE, WHEREBY EDS GOT ITS PART 625 PERMITS! NO "RESPONSE TO COMMENTS," NO CERTIFIED/INDEX OF THE ENTIRE ADMINISTRATIVE RECORD. NOTHING! THE MDEQ USED THE ISSUE OF "NEED," TO DENY EDS ITS PERMITS, KNOWING EDS WOULD APPEAL IN COURT, KNOWING CITIZENS WOULD LOSE THEIR RIGHT TO APPEAL THE DECISION; AND, THEN, THE MDEQ STATES, PER STEVEN R. SLIVER THAT THE ISSUE OF NEED IS NOT IMPORTANT! EPA OCR, I WILL ENCLOSE THE LETTER THAT HAL FITCH DIRECTED MDEQ-EMPLOYEE RAYMOND VUGRINOVICH TO WRITE ME, ABOUT THE MATTER, DATED APRIL 2, 1999. EPA OCF, YOU FIGURE IT OUT! IF YOU CAN!

\* \* \* \* \*

Enclosures, will follow.

Sincerely,

(b) (6) Privacy